

JOINT RESOLUTIONS

FORTY-FOURTH LEGISLATURE, 1935
REGULAR SESSION

PROPOSING AN AMENDMENT TO THE CONSTITUTION
PERMITTING THE FURNISHING OF STATE OFFICIAL
TEXT BOOKS FREE TO EVERY CHILD OF
SCHOLASTIC AGE ATTENDING ANY
SCHOOL WITHIN THE STATE.

S. J. R. No. 24.]

SENATE JOINT RESOLUTION.

A Joint Resolution proposing to amend Sections 3 and 5 of Article 7 of the Constitution of the State of Texas so as to permit the furnishing of State official text books free to every child of scholastic age, attending any school within the State.

Be it resolved by the Legislature of the State of Texas:

SECTION 1. That Section 3 of Article 7 of the Constitution of the State of Texas be amended so that hereafter it shall read as follows:

"Section 3. One-fourth of the revenue derived from the State occupation taxes and poll tax of One (\$1.00) Dollar on every inhabitant of the State, between the ages of twenty-one and sixty years, shall be set apart annually for the benefit of the public free schools; and in addition thereto, there shall be levied and collected an annual ad valorem State tax of such an amount not to exceed Thirty-five Cents on the One Hundred (\$100.00) Dollars valuation, as with the available school fund arising from all other sources will be sufficient to maintain and support the public schools of the State for a period of not less than six months in each year, and it shall be the duty of the State Board of Education to set aside, under such regulations and in such manner as may be provided by law, a sufficient amount out of the said tax to provide free text books for the use of children within the scholastic age attending any school in this State; provided, however, that should the limit of taxation herein named be insufficient the deficit may be met by appropriation from the General Funds of the State and the Legislature may also provide for the formation of school districts by General Laws; and all such school districts may embrace parts of two or more counties, and the Legislature shall be authorized to pass laws for the assessment and collection of taxes in all said districts and for the management and control of the public school or schools of such

districts, whether such districts are composed of territory wholly within a county or in parts of two or more counties, and the Legislature may authorize an additional ad valorem tax to be levied and collected within all school districts heretofore formed or hereafter formed, for the further maintenance of public free schools, and for the erection and equipment of school buildings therein; provided that a majority of the qualified property tax-paying voters of the district voting at an election to be held for that purpose, shall vote such tax not to exceed in any one year One (\$1.00) Dollar on the One Hundred (\$100.00) Dollars valuation of the property subject to taxation in such district, but the limitation upon the amount of school district tax herein authorized shall not apply to incorporated cities or towns constituting separate and independent school districts, nor to independent or common school districts created by General or Special Law."

SEC. 2. That Section 5, Article 7, of the Constitution of the State of Texas, be amended so that hereafter it shall read as follows:

"Section 5. The principal of all bonds and other funds, and the principal arising from the sale of the lands hereinbefore set apart to said school fund, shall be the permanent school fund, and all the interest derivable therefrom and the taxes herein authorized and levied shall be the available school fund, to which the Legislature may add, not exceeding one per cent annually, of the total value of the permanent school fund, such value to be ascertained by the Board of Education until otherwise provided by law. and the available school fund shall be applied annually to the support of the public free schools. And no law shall ever be enacted appropriating any part of the permanent or available school fund to any other purpose whatever; nor shall the same, or any part thereof ever be appropriated to or used for the support of any sectarian school, provided that the State Board of Education may furnish State adopted text books free to every child of scholastic age, attending any school within the State; and the available school fund herein provided shall be distributed to the several counties as may be provided by law and applied in such manner as may be provided by law."

SEC. 3. The foregoing Constitutional Amendment shall be submitted to the electors of this State qualified to vote on Constitutional Amendments at the election to be held on the Fourth Saturday in August, 1935, at which election there shall be printed on each ballot the following:

"FOR THE AMENDMENT TO THE CONSTITUTION OF THE STATE OF TEXAS PERMITTING THE FURNISHING OF FREE TEXT BOOKS TO EVERY CHILD OF SCHOLASTIC AGE ATTENDING ANY SCHOOL WITHIN THIS STATE," and

"AGAINST THE AMENDMENT TO THE CONSTITUTION OF THE STATE OF TEXAS PERMITTING THE FURNISHING OF FREE TEXT BOOKS TO EVERY CHILD OF

SCHOLASTIC AGE ATTENDING ANY SCHOOL WITHIN THIS STATE," and every voter shall mark out with pen or pencil the clause which he desires to vote against, or the word "FOR" or the word "AGAINST," at the beginning of such clause, so as to indicate his vote for or against each of said proposed amendments.

SEC. 4. The Governor is hereby directed to issue the necessary proclamation for said election and shall have the same published as required by the Constitution and laws of this State, and said election shall be held under the Constitution and laws of this State.

SEC. 5. The sum of Ten Thousand (\$10,000.00) Dollars or so much thereof as shall be necessary is hereby appropriated out of the State Treasury to pay the expenses of the publications and elections provided for in this Resolution.

[NOTE.—S. J. R. No. 24 passed the Senate, March 18, 1935, by a vote of 28 yeas, 1 nay; Senate concurred in House amendments, April 5, 1935, by a vote of 26 yeas, 1 nay; passed the House, with amendments, April 5, 1935, by a vote of 129 yeas, 9 nays.]

Filed in the Department of State, April 8, 1935, with the Governor's signature.

**PROPOSING AN AMENDMENT TO THE CONSTITUTION
PROVIDING FOR TEMPORARY COMMITMENT OF
MENTALLY ILL PERSONS FOR OBSERVA-
TION AND/OR TREATMENT WITHOUT
NECESSITY OF TRIAL BY JURY.**

H. J. R. No. 39.]

HOUSE JOINT RESOLUTION.

House Joint Resolution proposing an Amendment to Section 15, of Article 1, of the Constitution of Texas, and providing that the Legislature may authorize the temporary commitment of mentally ill persons, not charged with a criminal offense, for treatment and/or observation without the necessity of a trial by jury.

Be it resolved by the Legislature of the State of Texas:

SECTION 1. That Section 15, of Article 1, of the Constitution of the State of Texas be so amended as to hereafter read as follows:

"Sec. 15. The right of trial by jury shall remain inviolate. The Legislature shall pass such laws as may be needed to regulate the same, and to maintain its purity and efficiency. Provided, that the Legislature may provide for the temporary commitment, for observation and/or treatment, of mentally ill per-